

Message Text

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ACTION EUR-12

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EB-07 USPS-01 OC-06 CCO-00 A-01 /066 W

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FM AMEMBASSY ATHENS

TO SECSTATE WASHDC NIACT IMMEDIATE 1720

SECDEF WASHDC IMMEDIATE

INFO JCS WASHDC IMMEDIATE

AMEMBASSY ANKARA

USMISSION NATO

USNMR SHAPE

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CINCUSAFE

USDOCOSOUTH

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C O N F I D E N T I A L SECTION 1 OF 2 ATHENS 6872

E.O. 11652: GDS

TAGS: MARR, MASS, GR, US

SUBJECT: U.S.-GREEK DEFENSE COOPERATION DISCUSSIONS: FINAL
STEPS TOWARD INITIALING

REF: ATHENS 6708 (191524Z JUL 77)

1. SUMMARY. IN ALL-DAY SESSIONS IN JULY 20 AND 21, THE
WORKING GROUP COMPLETED A WORD-BY-WORD REVIEW OF ALL TWENTY-
SIX DOCUMENTS WHICH COMPRISE THE DCA PACKAGE. THIS TEDIOUS
EXERCISE PRODUCED NO MAJOR SURPRISES, ALTHOUGH THE GREEKS NOW
INSIST ON A ONE-WORD CHANGE IN THE SOFA AS WELL AS THE ARBITRARY
CAPITALIZATION OF THE WORD "INSTALLATION" THROUGHOUT THE DCA
PACKAGE AND OF A FEW OTHER WORDS IN THE PREAMBLE OF THE FACILITY
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APPENDICES. GREEKS ALSO MADE A FEW LUKEWARM PROBES TOWARD MAKING
MORE SUBSTANTIVE ADJUSTMENTS IN VARIOUS DOCUMENTS, WHICH WE
DEFLECTED. CHANGES MADE TO AGREED TEXTS REPORTED IN PREVIOUS
SEPTELS ARE SUMMARIZED IN THE PARAGRAPHS BELOW. SEPTTEL
REFERENCES ARE INCLUDED FOR YOUR CONVENIENCE. ACTION REQUEST:
SEE PARA 11. END SUMMARY.

2. BASIC DCA (ATHENS 4778, DTG 210927Z MAY 77)

A. REFERENCES TO "THE GOVERNMENT OF THE UNITED STATES OF AMERICA" WERE STANDARDIZED THROUGHOUT THIS DOCUMENT AND OTHERS WHERE APPROPRIATE. (EXAMPLE IS IN PARA 1 OF ARTICLE X WHERE "GOVERNMENT OF THE" WAS INSERTED BEFORE THE TWO REFERENCES TO "UNITED STATES OF AMERICA.")

B. NUMBERS WERE SPELLED OUT EXCEPT FOR REFERENCE TO PARAGRAPHS OF THE VARIOUS ARTICLES. (SEE PARA 2 OF ARTICLE XV FOR EXAMPLE.)

C. CLOSING PARAGRAPH WAS REFORMULATED AS FOLLOWS:

"DONE AT (BLANK), THIS (BLANK) DAY OF (BLANK), 1977, IN DUPLICATE, IN THE ENGLISH AND GREEK LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC."

FOR STANDARDIZATION, THE FINAL PARAGRAPH OF ALL THE APPENDICES AND THE MOU, WHICH INCLUDE A SIMILAR CLOSING, WAS ADJUSTED TO REFLECT THIS SAME FORMULATION.

3. APPENDIX II, STATUS OF FORCES (ATHENS 4780, DTG 210929Z MAY 77).

A. FORMAT OF PREAMBLE WAS ADJUSTED TO COINCIDE WITH CONFIDENTIAL

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THAT OF BASIC DCA; NO LANGUAGE CHANGES WERE MADE.

B. ARTICLE V, PARA 3, SECOND SENTENCE: GREEKS WANT TO CHANGE THE WORD "MAY" TO "SHALL", CLAIMING THAT THIS WAS THEIR UNDERSTANDING OF THE AGREED TEXT. THIS WOULD MAKE IT DIRECTIVE ON GREEK CUSTOMS AUTHORITIES, RATHER THAN DISCRETIONARY, TO INSPECT PRIVATE PARCELS IN U.S. MILITARY POSTAL CHANNELS ON A RANDOM SAMPLE BASIS. THE PRESENT TEXT (I.E. WITH THE WORD "MAY") WAS AGREED AS EARLY AS SEPTEMBER 1975 (ATHENS 7303, DTG 241323Z SEP 75) AND LATER DOCUMENTED IN AN AGREED DRAFT MINUTE (ATHENS 8906, 171305Z NOV 75). IN FEB 1976, THIS AGREED MINUTE WAS NULLIFIED, BY INCORPORATING THE LANGUAGE INTO THE PRESENT DRAFT SOFA (ATHENS 978, DTG 021535 FEB 76) AND, BY IMPLICATION, APPROVED BY WASHINGTON (STATE 028073, DTG 050137Z FEB 76). CONSIDERING THIS BACKGROUND, WE DO NOT VIEW THE GREEK CONTENTION AS AN OVERSIGHT ON THEIR PART. RATHER, IT SEEMS TO REPRESENT AN EFFORT BY GREEK LEGAL ADVISER MACHERITSAS TO MAKE ONE MORE POINT IN THE FINAL DAYS BEFORE INITIALING. WE INTEND TO RESIST THIS CHANGE DESIRED BY THE GREEKS BUT, NEVERTHELESS, DO NOT CONSIDER IT IMPORTANT ENOUGH TO DELAY THE SCHEDULED INITIALING OF THE DCA. SEE ACTION REQUEST, PARA 11.

4. APPENDIX III, NEA MAKRI (ATHENS 6728, DTG 200921Z JUL 77).

A. TITLE. THE PLURAL WORD "ARRANGEMENTS" WAS CHANGED TO THE SINGULAR. THIS MORE ACCURATELY DESCRIBES THE DOCUMENT AS ONE ARRANGEMENT, EVEN THOUGH INTERNALLY THE PREAMBLE REFERS TO THE INDIVIDUAL ARTICLES AS "ARRANGEMENTS." (ALL OTHER FACILITY APPENDICES ALSO WERE ADJUSTED TO REFLECT THIS CHANGE.)

B. ARTICLE VIII. IN FIRST SENTENCE, "NEA MAKRI SECURITY PLAN" WAS CHANGED TO "NEA MAKRI INSTALLATION SECURITY PLAN." THIS WAS REQUESTED BY THE GREEKS TO RELATE NEA MAKRI TO THE INSTALLATION ITSELF AND NOT THE ADJACENT VILLAGE BY THE SAME NAME. TO AVOID REPETITION OF THIS FORMU-
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LATION, "NEA MAKRI" WAS DROPPED IN THE LAST SENTENCE OF THIS SAME PARA. (THE SAME CHANGES WERE MADE IN APPENDIX IV (IRAKLION), ARTICLE VII, PARA 1; APPENDIX V (SOUDA), ARTICLE VII; AND APPENDIX VI (HELLENIKON), ARTICLE VI, PARA 1.)

C. ANNEX A, PARA 4. FOR CONSISTENCY WITH LANGUAGE IN THE SAME PARA OF ANNEX TO THE OTHER FACILITY APPENDICES, TEXT WAS CHANGED TO READ: "PERSONNEL STRENGTH: THE TOTAL AUTHORIZED UNITED STATES PERSONNEL STRENGTH; IS 450."

5. APPENDIX V (SOUDA), ANNEX A, PARA 2.A (ATHENS 4783, DTG 210931Z MAY 77). FOR CONSISTENCY WITH ARTICLE I, PARA I.A. OF THIS APPENDIX, THE TITLE FOR SUBPARA 2.A. WAS CHANGED FROM "AIR OPERATIONS" TO "FLIGHT ACTIVITIES."

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FM AMEMBASSY ATHENS
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SECDEF WASHDC IMMEDIATE
INFO AMEMBASSY ANKARA
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USNMR SHAPE
USDELMC
USCINCEUR
CINCUSNAVEUR
CINCUSAFE
USDOCOSOUTH
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C O N F I D E N T I A L SECTION 2 OF 2 ATHENS 6872

6. ARRANGEMENT CONCERNING TECHNICAL OPERATIONS, PARA 888
(ATHENS 4785, DTG 210934Z MAY 77 EXDIS NOTAL). IN FIRST
SENTENCE OF III.A, "FACILITIES" WAS CHANGED TO
"INSTALLATIONS" FOR CONSISTENCY WITH DCA ARTICLE III. IN LAST
SENTENCE OF III.C.4, "AIR BASE" WAS ADDED AFTER
"HELLENIKON" FOR CLARITY.

7. COMPLIMENTARY OPENINGS AND CLOSINGS FOR ALL EXCHANGES
OF NOTES--EXCEPT THE PARITY IN PROCUREMENT NOTE AND OPENING
OF AIRBORNE RECONNAISSANCE ASSISTANCE NOT -- WERE
STANDARDIZED AS FOLLOWS:

A. OPENING: "WITH REFERENCE TO (ARTICLE/APPENDIX IF
AND AS APPROPRIATE) THE DEFENSE COOPERATION AGREEMENT SIGNED
THIS SAME DAY BETWEEN OUR TWO GOVERNMENTS, I HAVE THE HONOR
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TO (PROPOSE THE FOLLOWING:) (CONFIRM THAT...) (INFORM....)."

B. CLOSING. "IF THE FOREGOING IS ACCEPTABLE TO YOUR
GOVERNMENT, I PROPOSE THAT THIS NOTE AND YOUR EXCELLENCY'S
REPLY THERETO INDICATING SUCH ACCEPTANCE SHALL CONSTITUTE
THE AGREEMENT BETWEEN OUR TWO GOVERNMENTS CONCERNING THIS
MATTER. (PARA) PLEASE ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES
OF MY HIGHEST CONSIDERATION."

8. MINOR CHANGES WERE MADE IN COMPLIMENTARY OPENING AND
CLOSING OF PARITY IN PROCUREMENT NOTE (STATE 148767, DTG
251603Z JUN 77) TO BRING THEM CLOSER TO THE STANDARD FORMU-
LATIONS IN PARA 7 ABOVE, WHILE STILL RETAINING "SIMILARITY"
WITH THE EXCHANGE OF NOTES WITH TURKEY. GREEKS ALSO DELETED
5 P-3A AIRCRAFT AND 18 T-33A AIRCRAFT FROM SUB PARA (2) OF
DRAFT NOTE. COMPLETELY AGREED DRAFT TEXT FOLLOWS IN SEPTTEL.

9. CAPITALIZATION PROBLEM. GREEK WORKING GROUP SPOKESMAN

MACHERITSAS INSISTED THAT THE WORD "INSTALLATION" BE ARBITRARILY CAPITALIZED WHEREVER IT APPEARS THROUGHOUT THE ENTIRE DCA PACKAGE, EVEN THOUGH NOT USED AS A PROPER NOUN AND THUS CONTRARY TO STANDARD ENGLISH GRAMMAR. HE IS NOT ABLE TO OFFER ANY RATIONALE FOR THIS INSISTANCE, EXCEPT THAT IT IS A "SPECIAL WORD" RELATED ONLY TO THOSE GREEK INSTALLATIONS COVERED BY THE DCA AND NOT TO OTHERS NOT COVERED BY THE DCA WHERE THERE IS NO U.S. PRESENCE. BY IMPLICATION, HE SUGGESTED THAT OUR DESIRE FOR PROPER USE OF THE WORD IN THE LOWER CASE MIGHT REFLECT A U.S. INTENT TO SUBVERT SOMEHOW THE AGREED CONCEPT THAT PRESENT U.S. INSTALLATIONS WILL BECOME GREEK INSTALLATIONS ON WHICH A U.S. PRESENCE IS AUTHORIZED. FOR THE SAME REASON, THE GREEKS ALSO WANT TO CAPITALIZE ALL WORDS FOLLOWING "HELLENIC" IN THE FINAL PHRASE OF THE PREAMBLE OF APPENDICES III, IV, V AND VI (FACILITY APPENDICES). WE ARE NOT
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SURE IF THIS QUESTION OF CAPITALIZATION REPRESENTS A GOG POSITION OR NOT. WHAT IS CLEAR, HOWEVER, IS THAT MACHERITSAS FEELS A PERSONAL COMMITMENT AND INVOLVEMENT AND MAY VERY WELL SEIZE HIS AUTHORITIES WITH THIS MATTER IF HE HAS NOT ALREADY DONE SO.

10. ABSIDE FROM AEKWARDNESS (THE DCA, PARTICULARLY THE COMMAND AND CONTROL APPENDIX, IS RIDDLED WITH THE WORD "INSTALLATION"), WE DO NOT SEE WHERE THE CAPITALIZATION DESIRED BY THE GREEKS WOULD IN ANY WAY ALTER THE SUBSTANCE OF THE DCA. HOWEVER, WE DO NOTE THAT THE ENGLISH VERSIONS OF BOTH THE SPANISH AGREEMENT AND THE TURKISH DCA FOLLOW ENGLISH GRAMMAR IN THIS CASE AND THAT A PRECEDENT MIGHT BE INVOLVED. IF WASHINGTON PERCEIVES NO PROBLEM WITH THE GREEK REQUEST, WE WILL SETTLE THE MATTER IN THE WORKING GROUP. OTHERWISE, BECAUSE OF MACHERITSAS' EMOTIONAL INVOLVEMENT, WE WILL TREAT THE PROBLEM AT THE HEADS OF DELEGATION LEVEL.

11. ACTION REQUESTED:

A. WASHINGTON APPROVAL TO ACCEPT "SHALL" INSTEAD OF "MAY" IN APPENDIX II (SOFA), ARTICLE V, PARA 3, SECOND SENTENCE, IF GREEKS INSIST (PARA 3.B. ABOVE).

B. WASHINGTON GUIDANCE ON GREEK CAPITALIZATION REQUEST (PARA 9 AND 10 ABOVE).

C. REPLY REQUESTED BY OPENING OF BUSINESS TUESDAY, JULY 26.

12. WE HOPE THAT THE CHANGES OUTLINED IN THIS MESSAGE REFLECT THE SUM TOTAL OF ALL THAT WILL BE MADE. HOWEVER, WE CANNOT PRECLUDE THE POSSIBILITY OF THE GREEKS' RAISING

ADDITIONAL POINTS IN THE FEW DAYS BETWEEN NOW AND SCHEDULED
INITIALING ON JULY 28.

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Message Attributes

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Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition History: n/a
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TAGS: MARR, MASS, GR, US
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